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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/904,666	
	<b>Filing Date</b>	July 12, 2001	
	<b>First Named Inventor</b>	Bezek et al.	
	<b>Group Art Unit</b>	1772	
	<b>Examiner Name</b>	Nordmeyer, Patricia L.	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	CFLAY.00046

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div>Postcard Receipt TC 1700 MAIL ROOM</div>
<b>Remarks</b>  Response to Office Action dated August 16, 2002		

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Firm or Individual name	Stephen R. Loe
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Date	August 26, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Edward Anthony Bezek and  
John Joseph Michels

GROUP ART UNIT: 1772

FILED: July 12, 2001

INVENTION: Plastic Container Barrier  
Structure for Dry Food Products

EXAMINER: Nordmeyer, Patricia L.

SERIAL NO.: 09/904,666

ATTY FILE: CFLAY.00046

**RESPONSE TO OFFICE ACTION**  
**DATED AUGUST 16, 2002**

This correspondence is sent in response to an Office Communication mailed on August 16, 2002.

**IN THE CLAIMS:**

Please cancel claim 4 without prejudice. Please amend the claims as indicated. A redacted version of the amended claims is provided in the appendix showing with brackets and underlines the changes made to the claims. A clean version of the entire set of pending claims is as follows:

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1. (Once Amended) A method for making a plastic dry food container, said method comprising the steps of:
  - a) forming a thin sheet of ethylene vinyl alcohol film as an interior surface of the container;
  - b) placing a dry food product within said container, wherein the dry food product acts as a desiccant to draw moisture away from the ethylene vinyl alcohol film; and
  - c) sealing said container.
2. (Once Amended) The method of claim 1 wherein the ethylene vinyl alcohol layer is less than 0.5 mils thick.

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